

115TH CONGRESS
1ST SESSION

H. R. 2606

To amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2017

Mr. COLE (for himself, Mr. MULLIN, Mr. LUCAS, and Mr. RUSSELL) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stigler Act Amend-
5 ments of 2017”.

6 **SEC. 2. IN GENERAL.**

7 The first section of the Act of August 4, 1947 (61
8 Stat. 731, chapter 458), is amended—

1 (1) in the matter before subsection (a), by
2 striking “That all restrictions” and all that follows
3 through subsection (a) and inserting the following:

4 “SEC. 1. All restrictions against alienation, convey-
5 ance, lease, mortgage, creation of liens, or other encum-
6 brances upon all lands, including oil and gas or other min-
7 eral interests, in Oklahoma belonging to a lineal descend-
8 ant by blood of an original enrollee whose name appears
9 on the Final Indian Rolls of the Five Civilized Tribes in
10 Indian Territory, whether acquired by allotment, inherit-
11 ance, devise, gift, purchase, exchange, partition, partition
12 sale, or by purchase with restricted funds, of whatever de-
13 gree of Indian blood, and whether enrolled or unenrolled,
14 shall be and are hereby, extended until an Act of Congress
15 determines otherwise, including, without limitation, those
16 interests in the estate of a decedent Indian who died be-
17 fore the date of enactment of Stigler Act Amendments of
18 2017 that were, immediately prior to the decedent’s death,
19 subject to restrictions that had not, as of said date, been—

20 “(1) the subject of a final order issued by an
21 Oklahoma district court or a United States district
22 court determining the decedent’s heirs or devisees or
23 otherwise determining the ownership of said inter-
24 ests;

1 “(2) conveyed by the decedent’s undetermined
2 heirs or devisees by deed approved by an Oklahoma
3 district court; or

4 “(3) conveyed by the decedent’s undetermined
5 heirs or devisees of less than one-half degree of In-
6 dian blood with or without Oklahoma district court
7 approval.

8 “SEC. 2. (a) Except as provided in subsection (f),
9 subsection (g), subsection (h), and subsection (i), no con-
10 veyance, including an oil and gas or mineral lease, of any
11 interest in the restricted lands described in this section
12 shall be valid unless approved in open court by the district
13 court of the county in Oklahoma in which the land is situ-
14 ated.”;

15 (2) in subsection (b)—

16 (A) by striking “county judge” and insert-
17 ing “district judge”; and

18 (B) by striking “Proceedings for approval
19 of conveyances by restricted heirs or devisees”
20 and inserting “Proceedings for approval of con-
21 veyances”;

22 (3) in subsection (c), by striking “best interest
23 of the Indian” and inserting “best interest of the
24 grantor”; and

1 (4) by adding before the period at the end the
2 following: “; (h) nothing contained in this section
3 shall limit or affect the right of an Indian owner of
4 restricted lands described in this Act to seek and ob-
5 tain Secretarial removal of restrictions on all or any
6 portion of said restricted lands in accordance with
7 any applicable Federal law; and (i) nothing con-
8 tained in this section shall invalidate the alienation,
9 conveyance, lease, including oil and gas or other
10 mineral leases, mortgage, creation of liens, or other
11 encumbrance of any lands, if such action was effec-
12 tive before the date of enactment of the Stigler Act
13 Amendments of 2017 and valid under the law then
14 in effect.”.

15 **SEC. 3. TECHNICAL AMENDMENTS.**

16 The Act of August 4, 1947 (61 Stat. 731, chapter
17 458), is amended—

18 (1) in section 5, by striking “of one-half or
19 more Indian blood,”;

20 (2) in section 6(c), by striking “of one-half or
21 more Indian blood,”; and

22 (3) in section 8, by striking “of one-half or
23 more Indian blood,”.

24 **SEC. 4. REPEALS.**

25 The following are repealed:

1 (1) Section 1 of the Act of August 11, 1955
2 (69 Stat. 666, chapter 768).

3 (2) Section 2 of the Act of August 4, 1947 (61
4 Stat. 731, chapter 458).

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